

**LEGISLATIVE SERVICES AGENCY  
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

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**FISCAL IMPACT STATEMENT**

**LS 7111**

**BILL NUMBER:** HB 1294

**NOTE PREPARED:** Feb 18, 2005

**BILL AMENDED:** Feb 17, 2005

**SUBJECT:** Sheriff's Sale Fee.

**FIRST AUTHOR:** Rep. Whetstone

**FIRST SPONSOR:**

**BILL STATUS:** CR Adopted - 1<sup>st</sup> House

**FUNDS AFFECTED:**      **GENERAL**  
                                 **DEDICATED**  
                                 **FEDERAL**

**IMPACT:** Local

**Summary of Legislation:** (Amended) The bill allows a sheriff to charge a person enforcing a mortgage foreclosure judgment a fee of up to \$200 for sheriff's sale costs.

**Effective Date:** July 1, 2005.

**Explanation of State Expenditures:**

**Explanation of State Revenues:**

**Explanation of Local Expenditures:**

**Explanation of Local Revenues:** (Revised) The number of mortgage foreclosures in which a final judgment was issued during CY 2003 are included in the *Indiana Judicial Report*. In CY 2003, 28,362 mortgage foreclosures were reportedly disposed in Indiana's trial courts. In CY 2002 the number of foreclosures disposed was 15,740. If all of these foreclosures resulted in a sale of property, the estimated amount of revenue collected from this fee would be approximately \$5.6 M (28,362 cases x \$200). Revenue generated by the fee is to be used for actual costs associated with selling mortgaged premises that have been foreclosed.

**State Agencies Affected:**

**Local Agencies Affected:** Sheriff Departments.

**Information Sources:** Division of State Court Administration, *2003 Indiana Judicial Report*, [www.in.gov/judiciary/admin](http://www.in.gov/judiciary/admin).

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